



PO Box 310  
Huntington, Utah 84528

August 10, 2006

Utah Coal Program  
Utah Division of Oil, Gas, and Mining  
1594 West North Temple, Suite 1210  
P.O. Box 145801  
Salt Lake City, Utah 84114-5801

*Incoming*  
*8/015/0018*  
*new task 2600*

**Re: Response to Deficiencies Pertaining to Phases I, II, and III Lease Relinquishment, PacifiCorp, Deer Creek Mine, C/015/018, Emery County, Utah, Task #2477.**

PacifiCorp, by and through its wholly-owned subsidiary, Energy West Mining Company ("Energy West") as mine operator, hereby submits updated information for the supplemental volume entitled "Supplemental Volume, Legal and Financial Information". This information is in response to the deficiencies that were received from the Division on May 22, 2006 (Task ID# 2477). The deficiencies were the result of the March 2006 submittal of BLM lease relinquishment decision documents for incorporation in the Supplemental Volume 1 - Phase I, II, and III Lease Relinquishment Information. As the deficiencies only required updating lease information in Appendix C of the Legal and Financial Volume, the entire volume needed updated to reflect current information. This updated information is addressed in a separate Amendment titled "Amendment to the Legal and Financial Volume to Include Updated Information, PacifiCorp, Cottonwood/Wilberg Mine, C/015/019, Deer Creek Mine, C/015/018, and Des Bee Dove Mine C/015/017, and Trail Mountain Mine C/015/009, Emery County, Utah." This information is being submitted simultaneously with this document.

Included with this document is as follows:

Supplemental Volume, Legal and Financial Volume  
Appendix C, Underground Right of Entry Information

Cottonwood Mining and Reclamation Plan - Volume 3  
Plate 1-1, Coal Lease and Ownership Map  
Plate 1-2, Surface Ownership Map

Deer Creek Mining and Reclamation Plan - Volume 4  
Plate 1-1, Coal Lease and Ownership Map  
Plate 1-2, Surface Ownership Map

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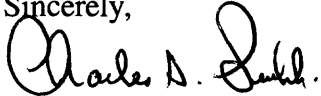
Huntington Office:  
(435) 687-9821  
Fax (435) 687-2695  
Purchasing Fax (435) 687-9092

Refer to *Expandable* *08102006*  
file in *C0150018* *2006* *Incoming*  
for additional information

Deer Creek Mine:  
(435) 687-2317  
Fax (435) 687-2285

Included with this submittal are seven (7) complete copies for Division review. One (1) hard copy and a CD has been included for map review. C1/C2 forms are also included. If there are any questions or concerns regarding the submitted information, please feel free to contact myself at (435) 687-4720 or Dennis Oakley at (435) 687-4825.

Sincerely,



Chuck Semborski  
Geology/Permitting Supervisor

cc      Doug Johnson (EWMC)  
         Scott Child (IMC)  
         File

Attachment:    C1/C2 Forms  
                 Deficiency Responses  
                 Supplemental Volume, Legal and Financial Information  
                            Appendix C, Underground Right of Entry Information  
                 Cottonwood Permit, Volume 3, Plate 1-1, Coal Ownership, Plate 1-2, Surface Ownership  
                 Deer Creek Permit, Volume 4, Plate 1-1, Coal Ownership, Plate 1-2, Surface Ownership

# APPLICATION FOR COAL PERMIT PROCESSING

Permit Change ☒ New Permit ☐ Renewal ☐ Exploration ☐ Bond Release ☐ Transfer ☐

Permittee: PacifiCorp

Mine: Cottonwood Mine, Deer Creek Mine,

Permit Number: C/015/0019,  
C/015/0018,

Title: Response to Deficiencies Pertaining to Phases I, II, and III Lease Relinquishment, PacifiCorp, Deer Creek Mine,  
C/015/018, Emery County, Utah, Task #2477

Description, Include reason for application and timing required to implement:

To submit current ownership and control information.

Instructions: If you answer yes to any of the first eight (gray) questions, this application may require Public Notice publication.

1. Change in the size of the Permit Area? Acres: 2051.49 Disturbed Area: 600.66 ☐ increase ☒ decrease.
2. Is the application submitted as a result of a Division Order? DO# \_\_\_\_\_
3. Does the application include operations outside a previously identified Cumulative Hydrologic Impact Area?
4. Does the application include operations in hydrologic basins other than as currently approved?
5. Does the application result from cancellation, reduction or increase of insurance or reclamation bond?
6. Does the application require or include public notice publication?
7. Does the application require or include ownership, control, right-of-entry, or compliance information?
8. Is proposed activity within 100 feet of a public road or cemetery or 300 feet of an occupied dwelling?
9. Is the application submitted as a result of a Violation? NOV # \_\_\_\_\_
10. Is the application submitted as a result of other laws or regulations or policies?
- Explain: \_\_\_\_\_
11. Does the application affect the surface landowner or change the post mining land use?
12. Does the application require or include underground design or mine sequence and timing? (Modification of R2P2)
13. Does the application require or include collection and reporting of any baseline information?
14. Could the application have any effect on wildlife or vegetation outside the current disturbed area?
15. Does the application require or include soil removal, storage or placement?
16. Does the application require or include vegetation monitoring, removal or revegetation activities?
17. Does the application require or include construction, modification, or removal of surface facilities?
18. Does the application require or include water monitoring, sediment or drainage control measures?
19. Does the application require or include certified designs, maps or calculation?
20. Does the application require or include subsidence control or monitoring?
21. Have reclamation costs for bonding been provided?
22. Does the application involve a perennial stream, a stream buffer zone or discharges to a stream?
23. Does the application affect permits issued by other agencies or permits issued to other entities?

Please attach four (4) review copies of the application. If the mine is on or adjacent to Forest Service land please submit five (5) copies, thank you. (These numbers include a copy for the Price Field Office)

I hereby certify that I am a responsible official of the applicant and that the information contained in this application is true and correct to the best of my information and belief in all respects with the laws of Utah in reference to commitments, undertakings, and obligations, herein.

Charles A. Semborski  
Print Name

Charles A. Semborski Geology/Permitting Supervisor 8-10-06  
Sign Name, Position, Date

Subscribed and sworn to before me this 10th day of AUGUST, 2006

[Signature]  
Notary Public

My commission Expires: 11/23/08, 20   }

Attest: State of UTAH } ss:  
County of EMERY



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DIV. OF OIL, GAS & MINING

<b>For Office Use Only:</b>	<b>Assigned Tracking Number:</b>	<b>Received by Oil, Gas &amp; Mining</b>
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Form DOGM- C1 (Revised March 12, 2002)

# APPLICATION FOR COAL PERMIT PROCESSING

## Detailed Schedule Of Changes to the Mining And Reclamation Plan

**Permittee:** PacifiCorp

**Mine:** Cottonwood Mine, Deer Creek Mine,

**Permit Number:** C/015/0019,  
C/015/0018,

**Title:** Response to Deficiencies Pertaining to Phases I, II, and III Lease Relinquishment, PacifiCorp, Deer Creek Mine, C/015/018, Emery County, Utah, Task #2477

Provide a detailed listing of all changes to the Mining and Reclamation Plan, which is required as a result of this proposed permit application. Individually list all maps and drawings that are added, replaced, or removed from the plan. Include changes to the table of contents, section of the plan, or other information as needed to specifically locate, identify and revise the existing Mining and Reclamation Plan. Include page, section and drawing number as part of the description.

**DESCRIPTION OF MAP, TEXT, OR MATERIAL TO BE CHANGED**[illegible]

**Any other specific or special instruction required for insertion of this proposal into the Mining and Reclamation Plan.**

Note: Plates 1-1 and 1-2 of the Cottonwood and Deer Creek Mines, as well as, Appendix C of the Legal and Financial Volume are being reviewed under a separate amendment referred to as "Amendment to the Legal and Financial Volume to Include Updated Information, PacifiCorp, Cottonwood/Wilberg Mine, C/015/019, Deer Creek Mine, C/015/018, and Des Bee Dove Mine C/015/017, and Trail Mountain Mine C/015/009, Emery County, Utah

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The following responses to deficiencies are formatted as found in the technical analysis document. They are broken down into logical section headings similar to the R645 regulations. In each section, the regulation number along with the associated deficiency is followed by the Permittee's italicized response.

**R645-301-124.300,** Because lease relinquishment information is not confidential, please revise the first statement of the last paragraph on page 1-12 of the Legal and financial Volume, concerning the location of lease relinquishment information. A better placement for this information is in Appendix C of the Legal and Financial volume (another volume common to PacifiCorp mines) that contains detailed coal-lease information that is affected by these lease relinquishments.

*Lease relinquishment has been an on-going process since 1992 when Phases I and II were originally submitted to the BLM for release. The lease relinquishment was submitted confidentially under 43CFR Part 3481.3 which protects critical trade information. Upon termination of the lease, such information shall be made available to the public. In 2002, Energy West submitted and had approved the Supplemental Volume 1, Lease Relinquishments to give the Division a historical perspective of the relinquishment process it followed. In 2004, Energy West submitted an amendment to include a BLM Approval tab in the volume to document all approved relinquishments. The Division approved this amendment on May 4, 2005. All leases in Phases I, II, and III have been approved for relinquishment, therefore, it is our interpretation that Supplemental Volume 1, Lease Relinquishments shall be made available to the public. Energy West suggests the paragraph under the Section heading of "Miscellaneous" remain unchanged.*

**R645-301-114,** The Permittee needs to update the relinquished acreage in Underground Right-of-Entry Information with Cited Surface and Subsurface Ownership chart of Appendix C in the Legal and Financial Volume to agree with the March 2006 BLM documents.

*The Right of Entry information in Appendix C of the Legal and Financial Volume has been updated to agree with the March 2006 BLM documents. Included with this submittal are seven copies for Division review.*

**R645-301-121.200,** The Permittee needs to reconcile the acreage figures for lease U-1358 in Appendix C of the Legal and Financial Volume with information in the BLM lease relinquishment documents. i.e. 40 acres relinquished, 120 acres active right of way.

*The noted lease, as well as other leases which PacifiCorp obtained partial relinquishment has been reconciled and show the current lease rights of way and the historical partial relinquishment of each lease. Partial relinquishment was obtained for coal leases SL-070645, U-002292, UTU-084923, UTU-084924, UTU-1358, UTU-040151, and UTU-083066. Included with this submittal are seven copies of the revised Legal and Financial Volume, Appendix C for Division review.*

**R645-301-521.131,** Vol. 4, Plate 1-1 needs to be updated to show all lease relinquishments; however, all relinquished lands remain subject to SMCRA requirements and therefore should not be removed from within the permit area.

*Plates 1-1 (Coal Lease and Ownership Map) and Plate 1-2 (Surface Ownership Map) in Volume 4*

*of the Deer Creek Mining and Reclamation Plan, and Volume 3 of the Cottonwood Mining and Reclamation Plan have been revised to show the current lease holdings and permit boundaries. Appendix G of the Legal and Financial Volume has been revised and included to record the amended permit boundaries of both the Deer Creek and Cottonwood permit areas.*

*As leases are relinquished, the Permittee no longer has right of entry into the lease. Therefore, these areas have been removed from the permit boundary of each of the noted Mining and Reclamation Permits.*